

REMARKS

In response to the Office Action mailed October 24, 2007, Applicant has amended the application as above. No new matter is added by the amendments as discussed below. Applicant respectfully requests the entry of the amendments and reconsideration of the application in view of the amendments and the remarks set forth below.

Discussion of Claim Amendments

Claims 1, 7 and 8 have been amended. Upon the entry of the amendments, Claims 1-8 are pending in this application. The amendments to Claims 1, 7 and 8 are supported, for example, by original Claims 1, 7 and 8, respectively. Thus, the amendments to the claims do not introduce any new matter. Entry of the amendments is respectfully requested.

Discussion of Specification Objections

The Examiner objected to the abstract and the title of the invention. In response, Applicant has amended the abstract as suggested by the Examiner. Applicant has also amended the title of the invention so that the title is clearly indicative of the invention to which the claims are directed. Withdrawal of the objections is respectfully requested.

Discussion of Claim Objection

The Examiner has objected to Claim 8 due to certain informalities. In response, Applicant has amended Claim 8 as suggested by the Examiner. Withdrawal of the objection is respectfully requested.

Discussion of Claim Rejection under 35 U.S.C. § 101

The Examiner has rejected Claim 8 under 35 U.S.C. § 101 as claiming a non-statutory subject matter. Applicant respectfully submits that pending Claim 8, as amended, has overcome the rejections under 35 U.S.C. § 101.

Discussion of Claim Rejections Under 35 U.S.C. § 103(a)

The Examiner has rejected Claims 1, 2 and 4-8 under 35 U.S.C. § 103(a) as being

unpatentable over Druckenmiller (US 6,167,435) in view of Ferber (US 7,184,971 B1). The Examiner has also rejected Claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Druckenmiller and Ferber in view of Harvey (US 6,487,583 B1). Applicant respectfully submits that pending Claims 1-8 are allowable over the prior art of record as discussed below.

Standard of *Prima facie* Obviousness

In order to provide a *prima facie* showing of obviousness under 35 U.S.C. § 103(a), all the claim limitations must be taught or suggested by the prior art. See, e.g., *In re Royka*, 490 F. 2d 981, 180 U.S.P.Q. 580 (CCPA 1974); MPEP 2143.03.

Patentability of Independent Claims 1, 7 and 8

Claim 1, as amended, recites, among other things, “receiving, from the registered user, a request for forwarding the notice information to a forwarding address of an unregistered user, the forwarding address being provided by the registered user via the Web page” and “transmitting the notice information to the forwarding address.” Each of independent Claims 7 and 8 comprises features substantially similar to those of Claim 1. Applicant respectfully submits that neither Druckenmiller nor Ferber, alone or in combination, teaches or suggests the above-indicated features.

Discussion of Druckenmiller

Druckenmiller discloses sending an email to an unregistered user so that the unregistered user may confirm his or her subscription request to the system by clicking an URL included in the email or by replying to the email (e.g., Fig. 3). That is, Druckenmiller discloses a process of soliciting new users (col. 4, ll. 30-56) or a process of processing subscription request (col. 4, l. 58 to col. 5, l. 11), but not a method of distributing information from a registered user to unregistered users.

Druckenmiller does not teach or suggest “receiving, from the registered user, a request for forwarding the notice information to a forwarding address of an unregistered user, the forwarding

address being *provided* by the *registered user via the Web page*" as recited in amended Claim 1 (emphasis added). The email in Druckenmiller may include an URL (e.g., Fig. 3), but that URL is used to confirm the subscription request to the system and cannot be used by a registered user to provide a forwarding address of an unregistered user.

Furthermore, Druckenmiller does not teach "transmitting the notice information to the forwarding address" as recited in amended Claim 1 (emphasis added). The Examiner has acknowledged as such by stating that Druckenmiller does not teach a registered user makes the request and the notice information is forwarded to any unregistered user. OA, p. 6, last para.

In view of the above, Applicant respectfully submits that Druckenmiller does not teach the above-indicated features of the claimed invention.

Discussion of Ferber

Ferber teaches neither "*receiving, from the registered user, a request for forwarding the notice information to a forwarding address of an unregistered user, the forwarding address being provided by the registered user via the Web page*" nor "*transmitting the notice information to the forwarding address*" (emphasis added).

Applicant respectfully submits that the referring procedure of the claimed invention is fundamentally different from that of Ferber in that in the claimed invention, a registered user directly refers an unregistered user to the server whereas in Ferber only when an unregistered user accesses and provides the server with the referral information (e.g., the information regarding the registered user) will the sever be able to know that the registered user has referred the unregistered user.

In Ferber, in order for the referral event to occur, the unregistered user (User B) needs to provide information regarding the registered user (User A), who referred User B to a server, to the server when User B is registering with the server. Thus, the server of Ferber does not, and needs not, receive, from the registered user (User A), a request for forwarding the notice information to a forwarding address of an unregistered user (User B). Ferber further teaches that in order for User B to register with the server, User B is required to download software. See col. 12, ll. 28-38.

As discussed above, in Ferber, User B provides User A information to the server after User B was referred by User A, and thus, the server would not know who referred User B to the server before User B accesses it. In view of the above, Applicant respectfully submits that the server of Ferber does not, and needs not, transmit the notice information, containing the ID of User A, to the forwarding address of User B.

In view of the above, Applicant respectfully submits that Ferber does not teach the above-indicated features of the claimed invention.

Summary

To sum up, Applicant respectfully submits that neither Druckenmiller nor Ferber teaches or suggests, alone or in combination, the above-recited features of the claimed inventions. One embodiment of the invention makes it possible to distribute information from a registered user to one or more unregistered users in a simpler, easier, and more efficient way, because, for example, it does not require downloading specific software as in Ferber. In view of the above, Applicant respectfully submits that Claims 1, 7 and 8 are allowable over the cited prior art.

Patentability of Dependent Claims

Claims 2-6 depend upon base Claim 1, and further define additional technical features of the present invention. In view of the patentability of their base claim, and in further view of their additional technical features, Applicant respectfully submits that the dependent claims are patentable over the references.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including

subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.


CONCLUSION

In view of Applicant's foregoing amendments and remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Respectfully submitted,

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